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November 6, 2012

BY ECF

Hon. Dora L. Irizarry  
United States District Court Judge  
Eastern District of New York  
United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201-1818

**Re:** *Rosenberg et al. v. Lashkar-e-Taiba, et al.*, 1:10-cv-05381  
*Scherr v. Lashkar-e-Taiba, et al.*, 1:10-cv-05382  
*Chroman v. Lashkar-e-Taiba, et al.*, 1:10-cv-05448  
*Ragsdale v. Lashkar-e-Taiba, et al.*, 1:11-03893

Dear Judge Irizarry:

We represent Defendants, the Inter-Services Intelligence Directorate of the Islamic Republic of Pakistan ("ISI"), and its former Director Generals, Ahmed Shuja Pasha and Nadeem Taj. We write with respect to the October 30 letter from the United States requesting additional time for submission of a Statement of Interest and the Order of Court, (which we received yesterday, via ECF) granting that request.

We note that in the letter the United States has committed that it "will present any views to the Court no later than December 17, 2012" and assume that representation informed the Court's decision to grant the further extension. We respect the prudence of the Court in seeking the views of the United States and we do not seek reconsideration of extension. However, as we have previously noted, Defendants believe the immunity and political question issues raised in the motion to dismiss are clear in that: (1) with respect to ISI, Plaintiffs fail to assert any exception to the immunity provided under the Foreign Sovereign Immunities Act; (2) with respect to the Director Generals, Plaintiffs assert claims against the Director Generals arising from acts allegedly undertaken by them in their official capacity; (3) with respect to the political question presented, Plaintiffs ask this Court to determine that ISI and its officials are not entitled to recognition and immunity as part of the Government of the Islamic Republic of Pakistan.

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We look forward to receipt of the views of the United States on December 17 but again note that the Court may decide the issues on Defendants' motion on the current record.

Respectfully submitted,

*s/ Kevin J. Walsh*

Kevin J. Walsh

KJW:md

**CERTIFICATE OF SERVICE**

I certify that on November 6, 2012, a copy of the foregoing document was filed electronically via the Court's ECF system, through which a notice of the filing will be sent to all counsel of record.

s/ Kevin J. Walsh  
KEVIN J. WALSH